

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN DIVISION**

Maureen Efthymoulou
13 Tollhouse Rd
Easthampton, NJ 08060

Plaintiff,

v.

Focus Receivables Management, LLC
c/o Greg Schubert, Registered Agent
1130 Northchase Parkway
Marietta, GA 30067

Defendant.

Case No.:

Judge:

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT
COLLECTION PRACTICES ACT AND
OTHER EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

FACTS COMMON TO ALL COUNTS

2. Plaintiff's son ("Son") incurred a "debt" as defined by 15 U.S.C. §1692a(5).
3. At the time of the communications referenced herein, Defendant either owned the debt or was retained by the owner to collect the debt.
4. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. Plaintiff filed this claim within the timeframe permitted under the FDCPA.
6. On or around October 8, 2009, Defendant telephoned Plaintiff.
7. During this communication, Defendant falsely represented that Plaintiff was liable for Son's debt.

8. During this communication, Defendant threatened to send an agent to Plaintiff's house to collect the debt by seizing Plaintiff's assets unless the debt was paid.
9. At the time of this communication, Defendant had neither the intent nor ability to seize Plaintiff's assets.
10. Defendant damaged Plaintiff emotionally and mentally and caused Plaintiff substantial anxiety and stress.
11. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

12. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
13. Defendant violated 15 U.S.C. §1692e in that it falsely represented the character, amount, and/or legal status of the debt.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

14. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
15. Defendant violated 15 U.S.C. §1692e in that it threatened action that could not legally be taken and/or that was not intended to be taken.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

16. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
17. Defendant violated 15 U.S.C. §1692c by making misrepresentations during its communications with Plaintiff.

COUNT FOUR

Violation of the Fair Debt Collection Practices Act

18. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
19. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect the debt.

JURY DEMAND

20. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

21. Plaintiff prays for the following relief:
- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
 - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Macey & Aleman, P.C.

By: /s/ Alana M. Carrion

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